

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>LINE CONSTRUCTION BENEFIT FUND,</b>	)	
<b>A HEALTH AND WELFARE FUND,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>1:15-CV-433</b>
	)	
<b>v.</b>	)	<b>Judge Chang</b>
	)	
<b>UNITED POWER LINE CONTRACTORS,</b>	)	<b>Magistrate Judge Gilbert</b>
<b>LLC,</b>	)	
	)	
<b>Defendant.</b>	)	

**MOTION TO VACATE ORDER OF DISMISSAL, TO REINSTATE ACTION,  
AND FOR ENTRY OF JUDGMENT**

NOW COMES the Plaintiff and moves this Honorable Court to vacate Order of Dismissal entered on July 7, 2015, a copy of which is attached hereto as Plaintiff's Exhibit "A", and to reinstate Plaintiff's cause of action instanter, and for entry of judgment against the Defendant.

In support of Plaintiff's Motion, Plaintiffs state as follows:

1) That pursuant to Settlement Agreement and Agreed Order of Dismissal, executed by the parties and filed with the Court on June 24, 2015, a copy of which is attached hereto as Plaintiff's Exhibit "B", the parties agreed to a dismissal of the pending action.

2) That notwithstanding the provisions of the Settlement Agreement, specifically paragraph 2 thereof, the Defendant has failed to remit payments for the months of September 2015, and October 2015, and current contributions for 2015.

WHEREFORE, in accordance with the provisions of the Agreed Order of Dismissal, Exhibit "A", Plaintiff prays that the Order of Dismissal be vacated instant, Plaintiff's cause of action be reinstated, and that judgment enter in favor of Plaintiff and against the Defendant in the amount of \$15,535.00, as and for the outstanding delinquencies.

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